



## RESPONSES TO INFORMATION REQUESTS (RIRs)

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13 March 2008

**PHL102719.E**

Philippines: The protection offered to female victims of sexual abuse  
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

Freedom House reports that "[r]ape, domestic violence, [and] sexual harassment on the job ... continue to be major problems despite efforts in government and civil society to protect women from violence and abuse" (2007). Similarly, *Country Reports on Human Rights Practices for 2006* states that violence against women "remained a serious problem" (US 6 Mar. 2007, Sec. 5). According to the *Philippine Star*, the Department of Social Welfare and Development (DSWD) reported 22,724 victims of sexual abuse from 2000 to 2005 (27 Sept. 2007). The DSWD, which provides programs and services for specific groups including women (Philippines n.d.a), reports on its website that it provided assistance to 237 female victims of rape, 91 female victims of incest and 5 female victims of "acts of lasciviousness" in 2006 (ibid. n.d.b). According to the National Commission on the Role of Filipino Women (NCRFW), the number of cases of violence against women increased from 1,100 in 1996 to 6,505 in 2005, and police records for 2005 indicate that 17.2 percent of cases reported to the police were rape cases (Philippines Mar. 2006).

The *Anti-Rape Law of 1997*, which amends the definitions of the crime of rape in the *Revised Penal Code*, also defines marital rape as a crime unless the wife forgives the offender (i.e., her husband) (ibid. 30 Sept. 1997, Sec. 2).

The *Rape Victim Assistance and Protection Act of 1998* was enacted in 1998 (ibid. 13 Feb. 1998) and declares it "the policy of the State to provide necessary assistance and protection for rape victims" (ibid., Sec. 2). This legislation also requires that a rape crisis centre be established in every province and city under the leadership of the DSWD (ibid., Sec. 3) and that a "women's desk ... be established in every police precinct throughout the country to provide a police woman to conduct investigation of complaints of women rape victims" (ibid., Sec. 4). The only mention of rape crisis centres on the DSWD website indicates that they are part of a pilot project to "test out the viability of operationalizing a facility within the province or city" (Philippines n.d.c).

The *Anti-Violence Against Women and Their Children Act of 2004* was enacted in 2004 to promote the protection of women and children who are victims of violence (Philippines 8 Mar. 2004, Sec. 4). Although the act provides a definition of violence against women that includes sexual violence, section three limits the definition of violence against women and their children to include acts committed only by a person who is the spouse or had a relationship with the woman (ibid., Sec. 3; US 6 Mar. 2007, Sec. 5). This legislation provides for protection orders to be issued to prevent further acts of violence against women (Philippines 8 Mar. 2004, Sec. 8). *Country Reports 2006* indicates that the Philippines National Police reported 1,269 cases relevant to this act and that this number "likely underreported significantly the level of violence against women in the country" (US 6 Mar. 2007, Sec. 5).

Information regarding the implementation or effectiveness of these three acts could not be found among the sources consulted by the Research Directorate.

The National Commission on the Role of Filipino Women (NCRFW) was established on 7 January 1975 to promote equality between men and women (Philippines n.d.d). The NCRFW website lists numerous hotlines for victims of violence against women (VAW) and provides contact information (ibid. n.d.e). However, the United Nations (UN) Committee on the Elimination of Discrimination Against Women indicates in its concluding comments on the Philippines that it is concerned that the NCRFW lacks "authority, capacity and resources" and the UN recommends that the government increase awareness of violence against women and its unacceptability (UN 25 Aug. 2006, Para. 13 and 16).

In correspondence to the Research Directorate dated 13 March 2008, the Women's Crisis Center (WCC), a non-governmental organization (NGO) located in Quezon city that provides assistance to female victims of abuse, provided the following information regarding shelters for women:

**HAVEN-Substitute Home Care for Women (SHCW):** there are 12 of these all over the country; one for each region, but there is no SHCW located in regions 9, 12, Autonomous Region of Moslem Mindanao and CARAGA. It provides temporary shelter and protective custody to women ages 18-59. The distribution of shelter facilities is as follows:

<b>National Capital Region</b>	<b>HAVEN Muntinlupa City</b>
Region 1	Bauang, La Union
Region 2	Solana, Cagayan
Region 3	Magalang, Pampanga
Region 4	Rosario, Batangas
Region 5	Ligao, Albay
Region 6	New Lucena, Iloilo
Region 7	Labangon, Cebu City
Region 8	Pawing Palo, Leyte
Region 10	Canitoan, Cagayan de Oro City
Region 11	Maa, Davao City
Cordillera Autonomous Region	North Drive, Baguio City

The WCC added that "these shelters are usually congested and do not have sufficient resources to provide long-term services for the survivors" (WCC 13 Mar. 2008).

According to *Country Reports 2006*, both the Philippines National Police and the DSWD maintained units to address violence against women (US 6 Mar. 2007, Sec. 5). The *Manila Bulletin* reports that the Central Police District in Fairview has created a unit to assist victims of sexual crimes called the Women and Children Complaints Desk (WCCD), which is staffed with female officers (n.d.). Other Filipino media sources refer to WCCDs in other locations (*Sun Star* 7 Jan. 2006; *Sunday Punch* 27 Aug. 2006; *Manila Bulletin* 3 Aug. 2006; *The Pangasinan Star* 10 Aug. 2005) and one news article indicates that they are operating in various municipal police stations across the country (ibid.); however, additional information on WCCDs could not be found among the sources consulted by the Research Directorate.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

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#### Additional Sources Consulted

**Oral sources:** GABRIELA Philippines and the Women's Crisis Center did not provide information within the time constraints of this Response.

Attempts to contact the Linanga ng Kababaihan (LIKHAAN) were unsuccessful.

**Internet sites, including:** Amnesty International (AI), British Broadcasting Corporation (BBC), Human Rights Watch (HRW), Integrated Regional Information Networks (IRIN), *Manila Times*, Minda News, Office of the United Nations High Commissioner for Human Rights (OHCHR), Social Weather Stations (SWS).

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